

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 2, 1998

Mr. James Reid, President
Citgo Pipeline Company
P.O. Box 3758, 517 OWP
Tulsa, Oklahoma 74102

Dear Mr. Reid:

CPF No: 48509M

On January 12-13, 1998, a representative from the Southwest Region, Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code, conducted an onsite pipeline safety inspection of Citgo Pipeline Company's (Citgo) procedures manuals for your Anti-Drug and Alcohol Misuse Prevention Programs at your corporate offices in Tulsa, Oklahoma.

As a result of the review of these procedures manuals, the requirements for which are set forth in Part 199, Drug and Alcohol Testing; Subpart A, and Subpart B, Alcohol Misuse Prevention Program, the following inadequate procedures were noted:

1. §199.7 Anti-Drug Plan.

- (a) Each operator shall maintain and follow a written anti-drug plan that conforms to the requirements of this part and the DOT Procedures. The plan must contain—**
 - (1) Methods and procedures for compliance with all the requirements of this part, including the employee assistance program;**
 - (2) The name and address of each laboratory that analyzes the specimens collected for drug testing; and**
 - (3) The name and address of the operator's medical review officer; and,**
 - (4) Procedures for notifying employees of the coverage and provisions of the plan.**
- (b) The administrator may, after notice and opportunity for hearing as provided in 49 CFR 190.237, require the operator to amend its plans and procedures as necessary to provide a reasonable level of safety.**

Your anti-drug plan is inadequate because it does not contain complete methods and procedures for compliance with all the requirements of Part 199, Subpart A.

2. **§199.202 Alcohol misuse prevention plan.**

Each operator shall maintain and follow a written alcohol misuse plan that conforms to the requirements of this subpart and the DOT procedures in Part 40 of this title. The plan shall contain methods and procedures for compliance with all the requirements of this subpart, including required testing, record keeping, reporting, education and training elements.

Your alcohol misuse prevention plan is inadequate in that it does not contain methods and procedures for compliance with all the requirements of Part 199, Subpart B.

Both a Model Anti-Drug Plan and a Model Alcohol Misuse Prevention Plan were left with Mr. Jim Sanders, Manager, Safety and Environmental Affairs, for his use in preparing anti-drug and alcohol misuse prevention plans that are in compliance with Title 49, Code of Federal Regulations, Part 199.

The anti-drug and alcohol misuse prevention plans written to comply with Part 199 may contain elements of a plan for those Citgo employees who are not subject to Part 199 but you must provide some method, such as the use of **bold lettering**, underlining, *italics*, etc., to separate those elements from the procedures written to comply with Part 199.

As provided in 49 C.F.R. §190.237, this notice serves as your notification that this office considers your procedures/plans inadequate. Under 49 C.F.R. §190.237, you have a right to submit written comments or request an informal hearing. You must submit written comments or a request for a hearing within 30 days after receipt of this notice. After reviewing the record, the Associate Administrator for Pipeline Safety will determine whether your plans or procedures are adequate. The criteria used in making this determination are outlined in 49 C.F.R. §190.237. If you do not wish to contest this notice, please provide your revised procedures within 60 days of receipt of this notice. Please refer to CPF No. 48509M in any correspondence/communication on this manner.

Sincerely,

R. M. Seeley
Regional Director, Southwest Region